popular representation without its substance, — " confidence coming from below/' as he expressed it, "power coming from above." In order to secure this he had devised a plan nearly identical with that laid down to Talleyrand by Bonaparte three years before. It was adopted for the new constitution. Every one of the five million citizens of France was to have a vote. From among them one in every ten was to be chosen by universal suffrage to be a candidate for local office; this formed the "communal list." These "notables of the communes" were then to choose one in ten of their number as a "notable of the department," a candidate for departmental office, thus constituting the "departmental list"; and these, in turn, one in every ten of their number as "notables of France," candidates for the national legislature and the higher offices of state, thus forming the "national list." From among these last the administration and the senate, by the exercise of the appointing power, were to select the great officers of state. This was Bonaparte's popular representation, "without eyes, ears, or power."

The legislative was also to be silent and powerless. It was divided into council, tribunate, legislature, and senate. The first, chosen at will by the executive, had the initiative; in the second three speakers might discuss the measures proposed, but no vote could be taken; in the third there was no discussion, but the members voted; the fourth was also mute, but it had the veto power. All except the senate were to sit with closed doors, and publicity was to be controlled by the administration. Sieyes had a plan whereby a chief magistrate, to be called the "great elector," should be chosen by the senators, since they also chose the representatives of the people from the elected candidates. This titled personage was to appoint all civil and military function-